



PATENTS  
15311-2292

*Director*  
*Receipt*  
*(3)*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re The Application of:  
Samuel H. Duncan et al.

Serial No.: 09/944,515

Filed: August 31, 2001

For: PASSIVE RELEASE AVOIDANCE  
TECHNIQUE

Examiner: Not yet assigned

Art Unit: 2183

Cesari and McKenna, LLP  
88 Black Falcon Avenue  
Boston, MA 02210  
October 30, 2001

**CERTIFICATE OF MAILING**

I hereby certify that the following paper is being deposited with the United States Postal Service as first-class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on October 30, 2001.

  
Safiya Jarvis

☒ Oath or Declaration  
☒ Assignment-With Recordation Form-  
Cover Sheet  
☒ Letter to Official Draftsman  
☒ Return Receipt Postcard  
☒ Check in the amount of \$40.00  
☒ Response to Notice to File Corrected  
Application Papers  
☒ Check in the amount of \$130.00

☒ Fee Transmittal Letter  
☒ Formal Drawings ( 7 sheets )  
☒ Formalities Letter  
☒ Request to Correct Filing Receipt (with  
marked up copy)



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

## Complete if Known

Application Number	09/944,515
Filing Date	August 31, 2001
First Named Inventor	Samuel H. Duncan et al.
Examiner Name	Not yet assigned
Group Art Unit	2183
Attorney Docket No.	15311-2292

TOTAL AMOUNT OF PAYMENT (\$) 170

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number: 03-1237

Deposit Account Name: Cesari and McKenna, LLP

☒ Charge Any Additional Fee Required Under 37 C.F.R. §§1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION (continued)

3. ADDITIONAL FEES					
Large Entity Small Entity				Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Fee Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English Specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	128	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility Issue fee (or reissue)	
143	460	243	230	Design Issue fee	
144	620	244	310	Plant Issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					
SUBTOTAL (3)				(\$)	170

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)				(\$)	0

### 2. EXTRA CLAIM FEES

		Extra Claims		Fee from below		Fee Paid			
Total Claims	<input type="text"/>	-	20**	=	<input type="text"/>	×	<input type="text"/>	=	<input type="text"/>
Independent Claims	<input type="text"/>	-	3**	=	<input type="text"/>	×	<input type="text"/>	=	<input type="text"/>
Multiple Dependent					<input type="text"/>			=	<input type="text"/>
Large Entity		Small Entity		Fee Description					
Fee Code	Fee (\$)	Fee Code	Fee (\$)						
103	18	203	9	Claims in excess of 20					
102	84	202	42	Independent claims in excess of 3					
104	280	204	140	Multiple dependent claim, if not paid					
109	84	209	42	**Reissue independent claims over original patent					
110	18	210	9	**Reissue claims in excess of 20 and over original patent					
SUBTOTAL (2)				<input type="text"/>		(\$)		<input type="text"/>	

\*\*or number previously paid, if greater; For Reissues, see below

## SUBMITTED BY

Name (Print/Type)	Michael R. Reinemann	Registration No. (Attorney/Agent)	38,280	Telephone	(617) 951-2500
Signature				Date	October 30, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Office, U.S. Patent and Trademark Office, Washington, DC



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3

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In Re The Application of:  
Samuel H. Duncan et al.

Serial No.: 09/944,515

Filed: August 31, 2001

For: PASSIVE RELEASE AVOIDANCE  
TECHNIQUE

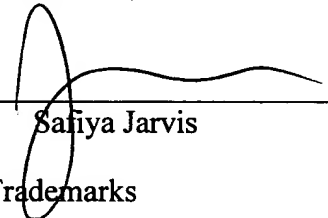
Examiner: Not yet assigned

Art Unit: Not yet assigned

Cesari and McKenna, LLP  
88 Black Falcon Avenue  
Boston, MA 02210  
October 30, 2001

**CERTIFICATE OF MAILING**

I hereby certify that the following paper is being deposited with the United States Postal Service as first-class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on October 30, 2001.

  
Saliya Jarvis

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

**RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS**

Enclosed in response to the Notice to File Corrected Application Papers mailed October 4, 2001, is a Letter to Official Draftsman accompanied by formal drawings for this Response. Also enclosed is the signed Declaration of co-inventor Steven Ho and a



check in the amount of \$130.00 to cover the surcharge for the late filing of the Declaration.

Please charge any additional fee occasioned by this paper to our Deposit Account

No. 03-1237.

Respectfully submitted,

---

Michael R. Reinemann  
Reg. No. 38,280  
CESARI AND MCKENNA, LLP  
88 Black Falcon Avenue  
Boston, MA 02210-2414  
(617) 951-2500



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/944,515	08/31/2001	Samuel H. Duncan	15311-2292

CONFIRMATION NO. 3331

24267  
CESARI AND MCKENNA, LLP  
88 BLACK FALCON AVENUE  
BOSTON, MA 02210

## FORMALITIES LETTER



\*OC000000006849490\*

Date Mailed: 10/04/2001

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

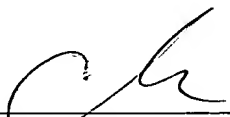
*Filing Date Granted*

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

3

PATENTS  
15311-2292



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re The Application of: )  
Samuel H. Duncan et al. )  
Serial No.: 09/944,515 )  
Filed: August 31, 2001 )  
For: PASSIVE RELEASE AVOIDANCE )  
TECHNIQUE )

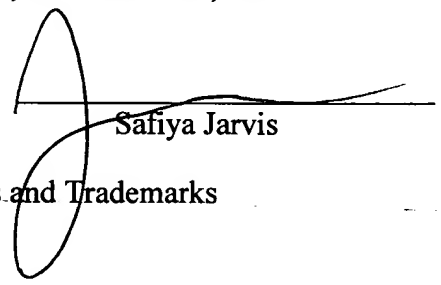
Examiner: Not yet assigned

Art Unit: 2183

Cesari and McKenna, LLP  
88 Black Falcon Avenue  
Boston, MA 02210  
October 30, 2001

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Safiya Jarvis

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

**LETTER TO OFFICIAL DRAFTSMAN**

If the Examiner in charge of the above-identified application approves, please substitute the enclosed drawing sheets containing formal versions of Figures 1-6B for the corresponding 7 drawing sheets currently in the application.

PATENTS  
15311-2292



Please charge any additional fee occasioned by this paper to our Deposit Account

No. 03-1237.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael R. Reinemann".

---

Michael R. Reinemann  
Reg. No. 38,280  
CESARI AND MCKENNA, LLP  
88 Black Falcon Avenue  
Boston, MA 02210-2414  
(617) 951-2500

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Samuel H. Duncan et al

Serial No.: 09/944,515

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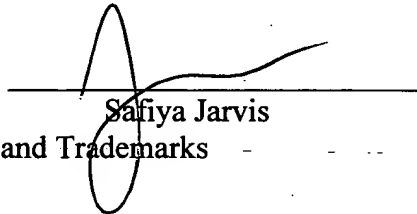
Examiner: Not yet assigned

Art Unit: 2183

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(617) 951-2500

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Safiya Jarvis

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

ATTN: Application Processing Division - Customer Correction Branch

Sir:

**REQUEST TO CORRECT FILING RECEIPT**

The filing receipt mailed October 4, 2001 in the above-identified application incorrectly identifies Samuel H. Duncan as the sole inventor. In fact, the application was originally filed in the name of Samuel H. Duncan and Steven Ho as co-inventors. A copy



of the filing receipt which has been corrected to include Steven Ho as a co-inventor is

enclosed.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R.

§§1.16 and 1.17 that may be required, or credit any overpayment, to our Deposit Account

No. 03-1237.

Respectfully submitted,



Michael R. Reinemann  
Reg. No. 38,280  
Cesari and McKenna  
88 Black Falcon Avenue  
Boston, MA 02210  
(617) 951-2500





UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED**

OCT 09 2001

CESARI &amp; MCKENNA

15311-2292 U

MRK

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/944,515	08/31/2001	2183	710	15311-2292	7	17	2

 24267  
 CESARI AND MCKENNA, LLP  
 88 BLACK FALCON AVENUE  
 BOSTON, MA 02210
**RECEIVED**

OCT 09 2001

CESARI &amp; MCKENNA

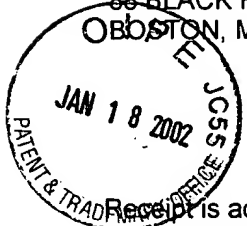
N/A FILING RECEIPT

CONFIRMATION NO. 3331



\*OC000000006849489\*

Date Mailed: 10/04/2001



Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Samuel H. Duncan, Arlington, MA; Steven Ho, Wesford, MA

**Domestic Priority data as claimed by applicant**

THIS APPLN CLAIMS BENEFIT OF 60/229,830 08/31/2000

**Foreign Applications**

If Required, Foreign Filing License Granted 10/04/2001

Projected Publication Date: To Be Determined - pending completion of Corrected Papers

Non-Publication Request: No

Early Publication Request: No

**Title**

Passive release avoidance technique

**Preliminary Class**

712

**LICENSE FOR FOREIGN FILING UNDER**



**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

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This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).